

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUDY CHRISTIAN PERCIVAL,

Plaintiff,

-against-

KELLEY ZIMMERMAN, *et al.*,

Defendants.

23-CV-1303 (AT) (OTW)

TRANSFER ORDER

ONA T. WANG, United States Magistrate Judge:

On May 5, 2023, the Court directed Plaintiff to show cause why this matter should not be transferred to the Eastern District of Pennsylvania. (ECF 10). The Court construes ECF 11 as Plaintiff agreeing that her case should be transferred to the Eastern District of Pennsylvania. Accordingly, venue lies in the Eastern District of Pennsylvania, and not in this District.

CONCLUSION

The Clerk of Court is directed to transfer this action to the United States District Court for the Eastern District of Pennsylvania. Whether Plaintiff should be permitted to proceed further without prepayment of fees is a determination to be made by the transferee court. A summons shall not issue from this Court. This order closes this case.

The Court certifies, pursuant to 28 U.S.C § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: May 11, 2023
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge